

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 09-cr-18-02-PB

Jordan Manning

**O R D E R**

On today's date, defendant appeared for a "probable cause" hearing under Fed. R. Crim. P. 32.1 on a superceding petition alleging violations of conditions of supervision. Specifically, the petition charges that defendant admitted to using cocaine and Percocet not prescribed to him.

Defendant stipulated to probable cause on the violations. I, therefore, find probable cause that Defendant has violated the conditions as charged in the petition.

Defendant sought bail conditions under Rule 32.1(a)(6). Under Rule 32.1(a)(6), defendant bears the burden of establishing by clear and convincing evidence that he will not flee and that he poses no danger to any other person or to the community. Based on the evidence presented at today's hearing, as well as the hearings on August 25, September 8, and 15, 2010, and for the reasons stated on the record at each hearing, defendant has failed to meet his burden of persuading the court that he poses no danger to himself or to the community. There are no conditions

or combination of conditions that defendant is likely to abide by.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

**SO ORDERED.**



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Landya B. McCafferty  
United States Magistrate Judge

Date: September 24, 2010

cc: Bjorn Lange, Esq.  
Mark S. Zuckerman, Esq.  
U.S. Probation  
U.S. Marshal